

EXHIBIT 11

From: [Carson Olsheski](#)
To: [Mark Lezama](#); [bpalapura@potteranderson.com](#); [dmoore@potteranderson.com](#); [Greenfield, Leon](#); [Vote, Dominic](#); [Ford, Mark](#); [Milici, Jennifer](#); [Apple Masimo Service](#)
Cc: [Knobbe.MasimoDE](#); [Jack Phillips](#); [Megan C. Haney](#); [Elena K. Wentz](#)
Subject: RE: Apple v. Masimo (Delaware) - Interrogatory Responses
Date: Friday, July 28, 2023 2:04:09 PM

Let's do August 2 at 4:30.

From: Mark Lezama <Mark.Lezama@knobbe.com>
Sent: Friday, July 28, 2023 4:50 PM
To: Carson Olsheski <COlsheski@desmaraisllp.com>; [bpalapura@potteranderson.com](#); [dmoore@potteranderson.com](#); [Greenfield, Leon](#) <Leon.Greenfield@wilmerhale.com>; [Vote, Dominic](#) <Dominic.Vote@wilmerhale.com>; [Ford, Mark](#) <Mark.Ford@wilmerhale.com>; [Milici, Jennifer](#) <Jennifer.Milici@wilmerhale.com>; [Apple Masimo Service](#) <AppleMasimoService@desmaraisllp.com>
Cc: [Knobbe.MasimoDE](#) <Knobbe.MasimoDE@knobbe.com>; [Jack Phillips](#) <JCP@PMHDELaw.com>; [Megan C. Haney](#) <mch@PMHDELaw.com>; [Elena K. Wentz](#) <EKW@PMHDELaw.com>
Subject: [Ext] RE: Apple v. Masimo (Delaware) - Interrogatory Responses

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Carson,

How about 2:00 or 4:30 Eastern on either day (August 1 or 2)?

Mark Lezama

Partner

mark.lezama@knobbe.com

949-721-5362 Direct

Knobbe Martens

2040 Main St., 14th Fl.

Irvine, CA 92614

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From: Carson Olsheski <COlsheski@desmaraisllp.com>
Sent: Thursday, July 27, 2023 10:58 AM
To: Mark Lezama <Mark.Lezama@knobbe.com>; [bpalapura@potteranderson.com](#);

dmoore@potteranderson.com; Greenfield, Leon <Leon.Greenfield@wilmerhale.com>; Vote, Dominic <Dominic.Vote@wilmerhale.com>; Ford, Mark <Mark.Ford@wilmerhale.com>; Milici, Jennifer <Jennifer.Milici@wilmerhale.com>; Apple Masimo Service <AppleMasimoService@desmaraisllp.com>

Cc: Knobbe.MasimoDE <Knobbe.MasimoDE@knobbe.com>; Jack Phillips <JCP@PMHDELaw.com>; Megan C. Haney <mch@PMHDELaw.com>; Elena K. Wentz <EKW@PMHDELaw.com>

Subject: RE: Apple v. Masimo (Delaware) - Interrogatory Responses

Hi Mark,

We are available to confer regarding this issue on August 1 or August 2. Could you please propose a few times that work for your team on those dates?

Best,

Carson Olsheski
Desmarais LLP
230 Park Avenue
New York, NY 10169
212-808-2911 | direct

From: Carson Olsheski

Sent: Friday, July 21, 2023 6:17 PM

To: Mark Lezama <Mark.Lezama@knobbe.com>; bpalapura@potteranderson.com; dmoore@potteranderson.com; Greenfield, Leon <Leon.Greenfield@wilmerhale.com>; Vote, Dominic <Dominic.Vote@wilmerhale.com>; Ford, Mark <Mark.Ford@wilmerhale.com>; Milici, Jennifer <Jennifer.Milici@wilmerhale.com>; Apple Masimo Service <AppleMasimoService@desmaraisllp.com>

Cc: Knobbe.MasimoDE <Knobbe.MasimoDE@knobbe.com>; Jack Phillips <JCP@PMHDELaw.com>; Megan C. Haney <mch@PMHDELaw.com>; Elena K. Wentz <EKW@PMHDELaw.com>

Subject: RE: Apple v. Masimo (Delaware) - Interrogatory Responses

Mark,

As memorialized in Jared Bunker's email of June 5, the parties agreed to "endeavor to respond to deficiency letters within 7 days of receiving the letters and meeting and conferring within 10 days of receiving the letters." Your request for immediate conferral regarding, among other things, Apple's fulsome contention interrogatory responses is unreasonable. As agreed, Apple will endeavor to respond to your July 20 letter within seven days, and earlier if possible, and we are also looking into times when we can meet and confer next week.

Best,

Carson Olsheski
Desmarais LLP
230 Park Avenue
New York, NY 10169
212-808-2911 | direct

From: Mark Lezama <Mark.Lezama@knobbe.com>
Sent: Friday, July 21, 2023 3:40 PM
To: Carson Olsheski <COlsheski@desmaraisllp.com>; bpalapura@potteranderson.com; dmoore@potteranderson.com; Greenfield, Leon <Leon.Greenfield@wilmerhale.com>; Vote, Dominic <Dominic.Vote@wilmerhale.com>; Ford, Mark <Mark.Ford@wilmerhale.com>; Milici, Jennifer <Jennifer.Milici@wilmerhale.com>; Apple Masimo Service <AppleMasimoService@desmaraisllp.com>
Cc: Knobbe.MasimoDE <Knobbe.MasimoDE@knobbe.com>; Jack Phillips <JCP@PMHDELaw.com>; Megan C. Haney <mch@PMHDELaw.com>; Elena K. Wentz <EKW@PMHDELaw.com>
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Counsel,

I'm following up on my email below from yesterday. Please let us know whether you have time to confer on these issues today. If not, please identify today when on Monday you're available.

Mark Lezama
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From: Mark Lezama <Mark.Lezama@knobbe.com>
Sent: Thursday, July 20, 2023 12:21 PM
To: Carson Olsheski <COlsheski@desmaraisllp.com>; bpalapura@potteranderson.com;

dmoore@potteranderson.com; Greenfield, Leon <Leon.Greenfield@wilmerhale.com>; Vote, Dominic <Dominic.Vote@wilmerhale.com>; Ford, Mark <Mark.Ford@wilmerhale.com>; Milici, Jennifer <Jennifer.Milici@wilmerhale.com>; Apple Masimo Service <AppleMasimoService@desmaraisllp.com>

Cc: Knobbe.MasimoDE <Knobbe.MasimoDE@knobbe.com>; Jack Phillips <JCP@PMHDELaw.com>; Megan C. Haney <mch@PMHDELaw.com>; Elena K. Wentz <EKW@PMHDELaw.com>

Subject: Apple v. Masimo (Delaware) - Interrogatory Responses

Counsel,

I'm attaching a letter addressing Apple's responses to Masimo's fourth set of interrogatories, as well as interrogatory 3. Please let us know when on July 21 or 24 you are available to confer.

Mark Lezama

Partner

mark.lezama@knobbe.com

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